

LISTING OF THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently amended) An apparatus comprising:

a communication device having a messaging client; and
an availability detector that detects availability of a destination device when a call is placed from said communication device by a user to said destination device; [[and
;]]
wherein [[a]]said messaging client of said communication device ~~that~~, when said availability detector indicates that said destination device is unavailable:
(a) obtains addressing information of said destination device;
(b) generates a message on said communication device; and
(c) sends said message via said communication device to said destination device in accordance with said addressing information, upon receipt of a command from [[a]]said user of said communication device.

2. (Currently amended) The apparatus according to claim 1, wherein said communication device comprises one of a group of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, a smart telephone, and a satellite telephone.

3. (Previously presented) The apparatus according to claim 1, further comprising a messaging initiator, wherein said messaging initiator is operable to provide said addressing information to said messaging client.

Claims 4. through 9. (Canceled)

10. (Previously presented) The apparatus according to claim 1, wherein said messaging client is operable to provide said addressing information in a destination field of said

message.

11. (Canceled)

12. (Previously presented) The apparatus according to claim 1, wherein said message comprises one of a group of message types comprising voice message, short message, enhanced message, and multimedia message.

13. (Previously presented) The apparatus according to claim 1, wherein said message has content that comprises one of a group comprising text, audio, video, still image, multimedia and voice.

14. (Previously presented) The apparatus according to claim 1, wherein said message has a content that comprises default message content.

15. (Canceled)

16. (Previously presented) The apparatus according to claim 14, wherein said default message can be specified by a user of said communication device.

17. (Canceled)

18. (Previously presented) The apparatus according to claim 1, wherein said availability detector is operable to detect unavailability of said destination device when said destination device does not connect after a predetermined number of rings.

19. (Previously presented) The apparatus according to claim 1, wherein said availability detector is operable to detect unavailability of said destination device when a busy signal is received from said destination device.

20. (Previously presented) The apparatus according to claim 1, wherein said availability

detector is operable to detect unavailability of said destination device when a connection is made to a voicemail box of said destination device.

21. (Canceled)

22. (Previously presented) A system comprising:

an availability detector that detects unavailability of a destination device when a call is placed from an originating communication device to said destination device; and
a message sender associated with said availability detector for sending to said originating communication device a message comprising an address of said destination device when said availability detector indicates unavailability of said destination device.

23. (Currently amended) The system according to claim 22, wherein said originating communication device ~~comprises~~is one of a group of communications devices comprising selected from the group consisting of a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone, and a satellite telephone.

24. (Currently amended) The system according to claim 22, wherein said message sender is operable to format said message ~~[[such]]~~ so that a reply to said message is addressed to said destination device.

25. (Previously presented) The system according to claim 24, wherein said message sender is operable to provide said address of said destination device in a reply field of said message.

26. (Currently amended) The system according to claim 22, wherein ~~a type of said message comprises one of a group of message types comprising~~ is one of a type selected from the group consisting of voice message, short message, enhanced message, and multimedia message.

27. (Currently amended) The system according to claim 22, wherein ~~a content of said message comprises one of a group comprising has a content selected from the group~~ consisting of text, audio, video, still image, multimedia, and voice.

28. (Previously presented) The system according to claim 22, wherein said message comprises default message content.

29. (Currently amended) The system according to claim 28, wherein further comprising that a user of said originating communication device can specify said default message content.

30. (Previously presented) The system according to claim 22, wherein the system is activated and deactivated by a user of said originating communication device.

31. (Previously presented) The system according to claim 22, wherein when said availability detector detects that said destination device is unavailable, a messaging client is launched to send said message to said originating communication device that appears to be sent from said unavailable destination device.

32. (Currently amended) A method executed by a communication device, comprising:
detecting availability of a destination device when a call is placed from said communication device to said destination device; and
if said destination device is unavailable, then:
(a) obtaining addressing information of said destination device on said communication device;
(b) generating a message on said communication device; and
(c) sending said message to said destination device in accordance with said addressing information, upon receipt of a command from a user of said communication device.

33. (Currently amended) The method according to claim 32, wherein said

communication device ~~comprises one of a group of communications devices comprising~~
is selected from a group consisting of a telephony device, a mobile communication
device, a cellular telephone, an internet protocol (IP) telephone, smart telephone, and a
satellite telephone.

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Currently amended) The method according to claim 32, further comprising selecting
the message content from one selected from the ~~[[of a]] group comprising-consisting of~~
text, audio, video, still image, multimedia, and voice.

38. (Currently amended) The method according to claim 32, ~~the method further~~
comprises generating a default message.

39. (Canceled)

40. (Currently amended) The method according to claim 32, ~~wherein the method further~~
~~comprises-comprising~~ opening on said communication device an input screen for user
input of message content.

41. (Currently amended) The method according to claim 40, ~~wherein the method further~~
~~comprises-comprising~~ prompting a user to input said message content.

42. (Currently amended) The method according to claim 32, wherein ~~a type of said~~
message ~~comprises one of a~~ is a type selected from the group of message types
~~comprising-consisting of~~ voice message, short message, enhanced message, and
multimedia message.

43. (Previously presented) The method according to claim 32, wherein destination device unavailability is detected when said destination device does not connect after a predetermined number of rings.

44. (Previously presented) The method according to claim 32, wherein destination device unavailability is detected when a busy signal is received from said destination device.

45. (Previously presented) The method according to claim 32, wherein destination device unavailability is detected when a connection is made to a voicemail box of said destination device.

46. (Previously presented) A method for automatically sending a message to an originating communication device calling a destination device, by:

detecting availability of said destination device; and

if said destination device is unavailable, then sending to said originating communication device a message comprising addressing information of said destination device.

47. (Currently amended) The method for automatically sending a message according to claim 46, wherein said originating communication device ~~comprises one of a~~ is selected from the group consisting of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone and a satellite telephone.

48. (Currently amended) The method for automatically sending a message according to claim 46, wherein said message is formatted ~~[[such]]~~ so that a reply to said message is addressed to said destination device.

49. (Original) The method for automatically sending a message according to claim 46,

wherein said message comprises a default message.

50. (Currently amended) The method for automatically sending a message according to claim 46, wherein ~~a type of said message comprises one of a~~ is of a type selected from the group consisting of message types comprising voice message, short message, enhanced message, and multimedia message.

51. (Previously presented) A method for automatically launching a messaging client on an originating communication device calling a destination communication device, wherein the method comprises:

detecting availability of said destination device; and if said destination device is unavailable, then:

generating a trigger signal;

launching said messaging client of said originating communication device in response to said trigger signal; and

using said trigger signal to provide addressing information of said destination device to said messaging client.

52. (Currently amended) The method for automatically launching a messaging client according to claim 51, wherein said originating communication device ~~comprises one of~~ a-is selected from the group consisting of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone, and a satellite telephone.

53. (New) The apparatus according to claim 1, wherein said communication device has a memory, and wherein said messaging client of said communication device, when said availability detector indicates that said destination device is unavailable, obtains said addressing information of said destination device from said memory.

54. (New) The apparatus according to claim 1, wherein said messaging client of said communication device, when said availability detector indicates that said destination

device is unavailable, generates said message on said communication device by opening an input screen displayed to the user for the user to input message content and sends said message content in said message via said communication device to said destination device in accordance with said addressing information, upon receipt of a command from said user of said communication device.

55. (New) The apparatus according to claim 1, wherein said messaging client of said communication device, when said availability detector indicates that said destination device is unavailable, generates said message on said communication device and displays said message to the user.